

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 20-20350

TEVIN DUPLESSIS,

Defendant.

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**OPINION AND ORDER GRANTING ATTORNEY RANDALL UPSHAW'S MOTION TO  
WITHDRAW AND SCHEDULING STATUS CONFERENCE**

This matter comes before the court on Attorney Randall Upshaw's motion to withdraw. (ECF No. 25.) On September 8, 2020, the court held a hearing on this motion. During the hearing, Mr. Upshaw stated that there has been a breakdown in his attorney-client relationship with Defendant. He further stated on the record that he would return the bulk of the retainer paid to him by Defendant, minus roughly \$3,000 for services already rendered. Defendant confirmed that he wished for Mr. Upshaw to withdraw and further stated that he would seek to retain a different attorney. Thus, for the reasons stated on the record, the court will grant Mr. Upshaw's motion to withdraw. The court will also schedule a status conference in approximately four weeks to discuss Defendant's progress in finding new counsel. Accordingly,

IT IS ORDERED that Randall Upshaw's motion to withdraw (ECF No. 25) is GRANTED.

IT IS FURTHER ORDERED that a status conference is SCHEDULED for **October 14, 2020 at 1:30 pm.**

The Court finds that the ends of justice is served by continuing the trial for this period outweigh the best interests of the public and the defendants in a speedy trial for the reasons that the counsel need additional and reasonable time to prepare.

IT IS FURTHER ORDERED that the time period from **September 16, 2020 to October 14, 2020** shall be excluded from time calculation mandated by the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and 18 U.S.C .§ 3161 (h)(7)(A),(B).

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: September 16, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 16, 2020, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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